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6 21X CAPITAL LTD. and DAVID A.  
BREWER

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
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12 21X CAPITAL LTD. and DAVID A.  
BREWER,

13 Plaintiffs,

14 vs.

15 ROBERT WERRA and JOHN WERRA,  
16 Defendants.  
17

Case No. C06-04135 JW (HRL)

13 **STIPULATION AND [PROPOSED]**  
14 **ORDER TO ALLOW PAPER EXHIBITS**  
15 **AT TRIAL**

16 Trial Date: September 9, 2008

18 Plaintiffs 21X Capital Ltd. and David A. Brewer, and defendants Robert Werra  
19 and John Werra (collectively, "the parties"), by and through their attorneys of record, file this  
20 stipulation and [proposed] order regarding the use of paper exhibits at trial.

21 As is familiar to the Court, this is an alter ego action which will be tried to the  
22 Court rather than to a jury. Plaintiffs obtained state court judgments against RJW  
23 Acquisitions, L.C. ("RJW"), and RJW filed bankruptcy. This case was then filed against  
24 defendant owners of RJW, defendants John and Robert Werra, who removed the case to this  
25 Court. The alter ego claim is the only cause of action in this (essentially) two party case.

26 The Court's Preliminary Pretrial Conference Scheduling Order (Bench Trial),  
27 dated February 26, 2008, provides that, upon request, in appropriate cases the court will  
28

1 excuse the parties from using electronically formatted documents in the evidence presentation  
2 at trial. The parties stipulate that this case is appropriate for the use of paper exhibits in lieu  
3 of electronically formatted exhibits, and hereby request that the Court grant this order  
4 allowing the use of such paper exhibits.

5  
6 **IT IS SO STIPULATED.**

7 For Plaintiffs:

8 Dated: July 17, 2008

ROGERS JOSEPH O'DONNELL

9  
10 By: /s/ THOMAS H. CARLSON

11 Attorneys for Plaintiffs 21X CAPITAL LTD. and  
DAVID A. BREWER

12  
13 For Defendants:

14 Dated: July 17, 2008


KEKER & VAN NEST

15 By: /s/ JON STREETER

16 Attorneys for Defendants ROBERT WERRA and  
JOHN WERRA

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18 THE FOREGOING STIPULATION IS APPROVED AND IT IS SO  
19 ORDERED. The parties are hereby allowed to use paper exhibits in the evidence  
20 presentation at trial.

21 Dated: July 29, 2008

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23 Hon. JAMES WARE  
United States District Court Judge